



03-28-03

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Hampden-Smith et al.

Serial No.: 09/815,380

Filed: March 22, 2001

Confirmation No.: 3937

Atty. File No.: 41890-01470

For: "ELECTROCATALYST POWDERS,
METHODS FOR PRODUCING POWDERS
AND DEVICES FABRICATED FROM
SAME"

) Group Art Unit: 1755

) Examiner: Hailey

) INFORMATION DISCLOSURE STATEMENTRECEIVED
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<p align="center">CERTIFICATE OF EXPRESS MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL LABEL NO. <u>EL 912459694</u> <u>US</u> IN AN ENVELOPE ADDRESSED TO COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231-9999 ON <u>03/27/03</u>.</p> <p align="center">MARSH-FISCHMANN & BREYFOGLE LLP</p> <p>BY: <u>Lynn Pennywell</u> Lynn Pennywell</p>
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Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby provides a copy of each of the documents identified on the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified application.

This Information Disclosure Statement is being filed after the period specified in 37 CFR § 1.97(b) and is accompanied by the fees set forth in 37 CFR § 1.17(p). The Assistant Commissioner is authorized to charge and credit Deposit Account No. 50-1419 for any deficiencies or overpayment.


The enclosed Information Disclosure Statement discloses a number co-pending and commonly owned U.S. Patent Applications. For the convenience of the Examiner, the following is a summary of the information provided with respect to these applications.

1. U.S. Patent Application Serial No. 09/668,947 is a Divisional Application from U.S. Patent No. 6,338,809 cited herein. Therefore, only the pending claims of this application are enclosed.
2. U.S. Patent Application Serial No. 09/668,805 is a Divisional Application from U.S. Patent No. 6,277,169, cited herein. Therefore only the claims of this application (now allowed) are enclosed.
3. U.S. Patent Application Serial No. 09/668,441 is a Divisional Application of U.S. Patent No. 6,165,247, which is of record with respect to the present application. Therefore, only the claims of this application are enclosed.
4. U.S. Patent Application Serial Nos. 10/209,234; 10/209,342; 10/209,343; and 09/636,732 are Divisional or Continuation Applications from U.S. Patent No. 6,103,393, previously cited. Therefore, only the claims of these applications are enclosed.
5. U.S. Patent Application Serial Nos. 10/210,597 and 10/210,600 are Divisional or Continuation Applications of U.S. Patent Application Serial No. 09/532,917, which is of record with respect to the present application. Therefore, copies of the specification are not enclosed.
6. With respect to U.S. Patent Application Serial No. 09/586,151, this is a Divisional Application of U.S. Patent Application Serial No. 09/030,051 for which a copy of the specification is enclosed. Therefore, applicants have only enclosed a copy of the pending claims for this application.
7. With respect to U.S. Patent Application Serial No. 09/659,638, this is a Divisional Application of U.S. Patent No. 6,165,247, which is of record with respect to the present application. Therefore, applicants have only enclosed the pending claims of this application.
8. U.S. Patent Application Serial No. 10/297,528 is the National Stage of WO 01/93999. Therefore, Applicants have enclosed a copy of the international application.
9. U.S. Patent Application Serial Nos. 10/212,991; 10/213,116; and 10/213,001 are Continuation Applications from the present application, and therefore no specification is enclosed.
10. For the remaining applications, a copy of the pending claims has been attached to the original specification.

If the Examiner requires any additional information with respect to any of these applications or cited patents, the Examiner is invited to contact Applicants undersigned representative.


Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

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(303) 338-0997

Date: March 27, 2003

<div style="text-align: center;">  <p>INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p> <p style="font-size: 1.5em; margin-top: 10px;">Attach #10</p> </div>	ATTY DOCKET NO. 41890-0147	SERIAL NO. 09/814,380
	APPLICANT(S) Hampden-Smith et al.	
	FILING DATE March 22, 2001	GROUP 1755

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	1.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	3,803,708	04/16/74	Wada et al.	29	620	
	2.	3,816,097	06/11/74	Daiga	75	.5	
	3.	3,956,014	05/11/76	Landsman et al.	136	86	
	4.	3,961,987	06/08/76	Mund et al.	136	86	
	5.	4,052,336	10/04/77	van Montfoort et al.	252	447	
	6.	4,113,921	09/12/78	Goldstein et al.	429	27	
	7.	4,136,059	01/23/79	Jalan et al.	252	447	
	8.	4,140,817	02/20/79	Brown	427	96	
	9.	4,172,733	10/30/79	Moritsu et al.	106	1.15	
	10.	4,185,145	01/22/80	Breault	429	34	
	11.	4,214,970	07/29/80	Spaziante et al.	204	265	

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FOREIGN PATENT DOCUMENTS


1.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
47.	0 331 009	02/23/89	Europe				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		48.	U.S. Patent Application Serial No. 09/668,947 by Hampden-Smith et al. entitled AEROSOL METHOD AND APPARATUS, PARTICULATE PRODUCTS AND ELECTRONIC DEVICES MADE THEREFROM, filed on 09/22/00.
		49.	U.S. Patent Application Serial No. 10/279,773 by Hampden-Smith et al., entitled IMPROVED ENERGY DEVICES, filed on 10/24/02.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<div style="text-align: center;">  <p>INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p> <p>MAR 27 2003</p> </div>	ATTY DOCKET NO. 41890-01475	SERIAL NO. 09/814,380
	APPLICANT(S) Hampden-Smith et al.	
	FILING DATE March 22, 2001	GROUP 1755

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	12.	4,263,376	04/21/81	Blurton	429	42
	13.	4,266,977	05/12/81	Steiger	106	43
	14.	4,391,844	07/05/83	Baczek et al.	427	44
	15.	4,395,279	07/26/83	Houck	75	0.5
	16.	4,444,852	04/24/84	Liu et al.	429	29
	17.	4,476,002	10/09/84	Howard et al.	204	283
	18.	4,482,641	11/13/84	Wennerberg	502	182
	19.	4,524,114	06/18/85	Samuels et al.	429	42
	20.	4,569,924	02/11/86	Ozin et al.	502	184
	21.	4,652,537	03/24/87	Tamura et al.	502	5
	22.	4,781,995	11/01/88	Giner	429	13

FOREIGN PATENT DOCUMENTS

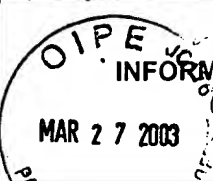
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		50.	U.S. Patent Application Serial No. 09/668,805 by Hampden-Smith et al. entitled SILVER CONTAINING PARTICLES, METHOD AND APPARTATUS OF MANUFACTURE, SILVER-CONTAINING DEVICES MADE THEREFROM , filed 09/22/00.
		51.	U.S. Patent Application Serial No. 09/991,270 by Kudas et al. entitled NICKEL POWDERS filed 11/09/01.

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 <p>INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p> <p>MAR 27 2003</p>	ATTY DOCKET NO. 41890-0147	SERIAL NO. 09/814,380
	APPLICANT(S) Hampden-Smith et al.	
	FILING DATE March 22, 2001	GROUP 1755

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	23.	4,787,964	11/29/88	Gordon et al.	204	282
	24.	4,822,410	04/18/89	Matovich	75	0.5
	25.	4,970,128	11/13/90	Itoh et al.	429	42
	26.	4,970,189	11/13/90	Tachibana	502	183
	27.	5,032,242	07/16/91	Knudsen et al.	204	157.41
	28.	5,068,161	11/26/91	Keck et al.	429	44
	29.	5,120,699	06/09/92	Weiss et al.	502	185
	30.	5,318,797	06/07/94	Matijevic et al.	427	213.31
	31.	5,338,330	08/16/94	Polizzotti et al.	75	228
	32.	5,374,598	12/20/94	Stonehart et al.	502	185
	33.	5,421,854	06/06/95	Kodas et al.	75	355

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FOREIGN PATENT DOCUMENTS


DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		52.	U.S. Patent Application Serial No. 09/030,051 by Kodas et al. entitled COPPER POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME , filed on 02/24/98.
		53.	U.S. Patent Application Serial No. 09/659,638 by Kodas et al. entitled PLATINUM POWDERS , filed on 09/12/00.

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<div style="text-align: center;">  <p>O.I.P.E. INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p> <p>MAR 27 2003</p> </div>	ATTY DOCKET NO. 41890-0147	SERIAL NO. 09/814,380
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	34.	5,429,657	07/04/95	Glicksman et al.	75	351
	35.	5,432,022	07/11/95	Cheiky	429	27
	36.	5,439,502	08/08/95	Kodas et al.	75	365
	37.	5,453,169	09/26/95	Callstrom et al.	204	242
	38.	5,501,915	03/26/96	Hards et al.	429	42
	39.	5,561,000	10/01/96	Dirven et al.	429	42
	40.	5,567,662	10/22/96	Dunmead et al.	501	87
	41.	5,766,788	06/16/98	Inoue et al.	429	42
	42.	5,843,519	12/01/98	Tada	427	115
	43.	5,993,988	11/30/99	Ohara et al.	429	40
	44.	6,159,267	12/12/00	Hampden-Smith et al.	75	252

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FOREIGN PATENT DOCUMENTS


DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

54.	U.S. Patent Application Serial No. 09/698,363 by Kodas et al. entitled GOLD POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME , filed on 10/27/00.
55.	U.S. Patent Application Serial No. 09/927,888 by Hampden-Smith et al. entitled FINE POWDERS FOR USE IN PRIMARY AND SECONDARY BATTERIES , filed on 08/10/01.

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	APPLICANT(S) Hampden-Smith et al.	
	FILING DATE March 22, 2001	GROUP 1755

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	45.	6,277,169	08/21/01	Hampden-Smith et al.	75	336
	46.	6,338,809	01/15/02	Hampden-Smith et al.	264	7

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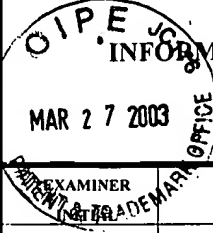
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	56.	U.S. Patent Application Serial No. 09/668,441 by Hampden-Smith et al. entitled PALLADIUM-CONTAINING PARTICLES, filed on 09/22/00.
	57.	U.S. Patent Application Serial No. 10/209,234 by Kodas et al. entitled METAL CARBON COMPOSITE POWDERS, filed on 07/31/02.

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 <p>INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p>		Docket Number (Optional) 41890-0147		Application Number 09/814,380	
		Applicant(s) Hampden-Smith et al.			
		Filing Date March 22, 2001		Group Art Unit 1755	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)					
58.		U.S. Patent Application Serial No. 10/209,343 by Kodas et al. entitled METHOD FOR THE PRODUCTION OF METAL-CARBON COMPOSITE POWDERS, filed on 07/31/02.			
59.		U.S. Patent Application Serial No. 10/209,342 by Kodas et al. entitled FUEL CELLS AND BATTERIES INCLUDING METAL-CARBON COMPOSITE POWDERS, filed on 07/31/02.			
60.		U.S. Patent Application Serial No. 10/210,600 by Hampden-Smith et al. entitled METHOD FOR THE PRODUCTION OF ELECTROCATALYST POWDERS, filed on 08/01/02.			
61.		U.S. Patent Application Serial No. 10/297,528 by Kodas et al. entitled ELECTROCATALYST POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME, filed on 12/05/02.			
62.		U.S. Patent Application Serial No. 09/636,732 by Kodas et al. entitled METAL CARBON COMPOSITE POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME, filed on 08/10/00.			
63.		U.S. Patent Application Serial No. 10/210,597 by Hampden-Smith et al. entitled COMPOSITE PARTICLES FOR ELECTROCATALYTIC APPLICATIONS, filed on 07/31/02.			
64.		U.S. Patent Application Serial No. 09/586,151 by Kodas et al. entitled COPPER POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME, filed on 06/02/00.			
65.		U.S. Patent Application Serial No. 10/212,991 by Hampden-Smith et al. entitled METHOD FOR THE DEPOSITION OF AN ELECTROCATALYST LAYER, filed on 08/05/02.			
66.		U.S. Patent Application Serial No. 10/213,116 by Hampden-Smith et al. entitled METHOD FOR FABRICATION MEMBRANE ELECTRODE ASSEMBLIES, filed on 08/05/02.			
67.		U.S. Patent Application Serial No. 10/213,001 by Hampden-Smith et al. entitled MEMBRANE ELECTRODE ASSEMBLIES FOR USE IN FUEL CELLS, filed on 08/05/02.			
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